

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

(COMPLETE IF KNOWN)

Application Number	
Filing Date	
Group Art Unit	
Examiner	

Attorney Docket Number	4777/4
First Named Inventor	SAKATA

This declaration is (*check one*):

- submitted with initial filing;
- submitted after initial filing;
- a supplemental declaration.

This application is of the following type:

- utility;
- design;
- national stage of PCT;
- divisional, continuation or continuation-in-part.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled

TERMINAL CONDITION CONTROLLING METHOD AND APPARATUS

the specification of which: (*check one*)

- is attached hereto; or
- was filed on _____ as U.S. Application No. _____ and is/was amended on _____ (*if applicable*);
- was described and claimed in PCT International Application No. _____, filed on _____ and was amended under PCT Article 19 on _____ (*if applicable*).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby identify below, and where indicated claim foreign priority benefits under Title 35, United States Code §§ 119(a)-(d) or §§ 365(a)-(b) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America, filed within 12 months (6 months for design) prior to this application, and have also identified below any foreign application(s) for patent or inventor's

certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed (*if any*):

Foreign/PCT Application Number	Country	Filing Date (MM/DD/YYYY)	Priority Claimed	
2000-311293	Japan	10/11/2000	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
2000-401663	Japan	12/28/2000	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below (*if any*):

Provisional Application No.	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International Application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S./PCT Parent Application No.	Filing Date	Status (<i>Patented, Pending, or Abandoned</i>)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

As a named inventor, I hereby appoint the following attorney(s) or agent(s) with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

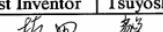
Seth H. Ostrow, Reg. No. 37,410
 Pamela G. Maher, Reg. No. 40,712
 Ralph F. Hoppin, Reg. No. 38,494
 Katrine A. Levin, Reg. No. 41,941
 Frederick Yu, Reg. No. 45,251
 James W. Woods, Reg. No. 47,184
 Franklin Abrams, Reg. No. 43,457

Frank J. DeRosa, Reg. No. 26,543
 Leslie Restaino, Reg. No. 38,893
 Matthew J. Marquardt, Reg. No. 40,997
 Silvana Merlin, Reg. No. 44,237
 Brooke W. Quist, Reg. No. 45,030
 Mauri Aven, Reg. No. 42,275

Direct all correspondence to:

Brown Raysman Millstein Felder & Steiner LLP
 900 Third Avenue
 New York, New York 10022

Direct all telephone calls to: (212) 895-2000

Full Name of Sole or First Inventor	Tsuyoshi SAKATA	
Inventor's Signature		Date: 10 / 2 / 2001
Residence	4-56-18, Sasanodai, Asahi-ku, Yokohama-shi, Kanagawa 241-0816, Japan	Citizenship: Japan
Post Office Address	Same as above	

Full Name of Second Joint Inventor	Hayashi ITOH	
Inventor's Signature		Date: 10 / 2 / 2001
Residence	177-1-302, Aikawacho, Nishimabashi, Matsudo-shi, Chiba, 271-0045, Japan	Citizenship: Japan
Post Office Address	Same as above	